

**UNITED STATES OF AMERICA
STATE OF ILLINOIS, COUNTY OF MCHENRY
IN THE CIRCUIT COURT OF THE TWENTY SECOND JUDICIAL CIRCUIT**

PEOPLE OF THE STATE OF ILLINOIS OR

A MUNICIPAL CORPORATION

-VS-

Joann D Cunningham

DEFENDANT

COMPLAINT19CF289

CASE NUMBER

SAO NUMBER

DOCUMENT CONTROL NUMBER

CLPD-19-007922

REPORT NUMBER

CITY, VILLAGE, TOWNSHIP
AND CODEFILED
McHenry County, Illinois**APR 25 2019**KATHERINE M. KEEFE
Clerk of the Circuit Court

File Stamp Here

COUNT ONE

In the name and by the authority of the People of the State of Illinois Detective Eitel hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of First Degree Murder in violation of Chapter 720 Act 5 Section 9-1(a)(1) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, forced A.F. (Minor child, DOB 10/14/13), to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body, knowing said acts would cause the death of A.F., thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class M

COUNT TWO

In the name and by the authority of the People of the State of Illinois Detective Eitel hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of First Degree Murder in violation of Chapter 720 Act 5 Section 9-1(a)(2) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, forced A.F. (minor child, DOB 10/14/13), to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body knowing that said acts created a strong probability of death or great bodily harm to A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class M

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED**BY** MLB**DATE** 4/25/19

Jurisdiction Name/Code

19CF289
Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 3

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(3) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, while committing or attempting to commit a forcible felony, aggravated battery, in violation of section 12-3.05(b)(1), of Act 5, of Chapter 720 of the Illinois Compiled Statutes, forced A.F. (minor child, DOB 10/14/13) to remain in a cold shower for an extended period of time and/or struck A.F. on or about his body thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class M

COUNT 4

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(3) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, while committing or attempting to commit a forcible felony, aggravated battery, in violation of Section 12-3.05(b)(2), of Act 5, of Chapter 720 of the Illinois Compiled Statutes, forced A.F. (minor child, DOB 10/14/13) to remain in a cold shower for an extended period of time and/or struck A.F. on or about his body thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class M

(VERIFICATION ON LAST PAGE)

RIGHTS EXTENDED

BY MLGDATE 4/25/19

Jurisdiction Name/Code

Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 5

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

First Degree Murder

in violation of Chapter 720 Act 5 Section 9-1(a)(3) of the Illinois Compiled Statutes in that said Defendant

without lawful justification, while committing or attempting to commit a forcible felony, aggravated domestic battery, in violation of Section 12-3.3 (a) of Act 5 of Chapter 720 of the Illinois Compiled Statutes, forced A.F. (minor child, DOB 10/14/13) to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body thereby causing the death of A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class M

COUNT 6

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

Aggravated Battery

in violation of Chapter 720 Act 5 Section 12-3.05(b)(1) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, forced A.F., a minor child under the age of 13 years (10/14/13), to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body, thereby causing great bodily harm, in that it caused A.F.'s death

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class X

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED**BY** MLG**DATE** 4/25/19

Jurisdiction Name/Code

190F289
Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 7

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

Aggravated Domestic Battery

in violation of Chapter 720 Act 5 Section 12-3.3(a) of the Illinois Compiled Statutes in that said Defendant

in committing a domestic battery in violation of Section 12-3.2(a)(1) of Act 5 of Chapter 720 of the Illinois Compiled Statutes, knowingly caused great bodily harm to A.F. (minor child, DOB 10/14/13), a family member of the defendant, in that said defendant forced A.F. to remain in a cold shower for an extended period of time and/or struck A.F. on or about the body causing A.F.'s death.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class 2

COUNT 8

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 15th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

Aggravated Battery

in violation of Chapter 720 Act 5 Section 12-3.05(b)(2) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, caused bodily harm to A.F., a minor child under 13 years of age (DOB 10/14/13) in that said defendant forced A.F. to remain in a cold shower for an extended period of time, and/or struck A.F. on or about his body.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class 3

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED**BY** MEC**DATE** 4/25/19

Jurisdiction Name/Code

19CF289
Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 9

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 17th day of April, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of Failure to Report Missing or Child Death in violation of Chapter 720 Act 5 Section 10-10(a) of the Illinois Compiled Statutes in that said Defendant

the parent of A.F., a child under 13 years of age (DOB 10/14/13), failed to report the death of A.F. to law enforcement officers within 24 hours of death of A.F., when said defendant knew A.F. to be deceased.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class 4

COUNT 10

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 4th day of March, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of Aggravated Battery in violation of Chapter 720 Act 5 Section 12-3.05(b)(1) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, struck A.F., a minor child under 13 years of age (DOB 10/14/13), on or about his body thereby causing great bodily harm.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class F. X

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED**BY** MLG**DATE** 4/25/19

Jurisdiction Name/Code

19CF289
Case Number

SAO Number

Document Control Number

CLPD-19-007922

Report Number

COUNT 11

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 4th day of March, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

Aggravated Domestic Battery

in violation of Chapter 720 Act 5 Section 12-3.3(a) of the Illinois Compiled Statutes in that said Defendant

in committing a domestic battery in violation of Section 12-3.2(a)(1) of Act 5 of Chapter 720 of the Illinois Compiled Statutes, knowingly caused great bodily harm to A.F. (minor child, DOB 10/14/13), a family member of the defendant, in that said defendant struck A.F. on or about the body, causing great bodily harm to A.F.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class 2

COUNT 12

In the name and by the authority of the People of the State of Illinois _____ Detective Eitel _____ hereinafter called the complainant, on oath charges that on or about the 4th day of March, 2019 in McHenry County, Illinois Joann D Cunningham hereinafter called the defendant committed the offense of

Aggravated Battery

in violation of Chapter 720 Act 5 Section 12-3.05(b)(2) of the Illinois Compiled Statutes in that said Defendant

in committing a battery, knowingly and without legal justification, caused bodily harm to A.F., a minor child under 13 years of age (DOB 10/14/13) in that defendant struck A.F. on or about the body, causing bodily harm.

Contrary to the form of the Statute in such case made and provided and against the peace and dignity of the People of the State of Illinois

☒ Felony ☐ Misdemeanor Class 3

(VERIFICATION ON LAST PAGE)

RIGHTS EXPLAINED**BY** MEB**DATE** 4/25/19

19CF289

Case Number

CRIMINAL COMPLAINT
VERIFICATION

JURISDICTION NAME/CODE

SAO Number

Document Control Number

CLPD-19-007922

Report Number

I have read this complaint containing 12 count/s, and all allegations herein are true and correct.

NEXT COURT DATE/TIME: _____

4471
[Signature]
Detective Eitel

Complainant

Subscribed and sworn before me this

this 24 day of APRIL 2019

Court Location: _____

[Signature]
JUDGE / CIRCUIT COURT CLERK / NOTARY PUBLIC

DEPUTY OF THE CIRCUIT CLERK

Copy of Complaint delivered to said Defendant, rights explained and Probable Cause found (if warrantless arrest)

A/O _____ Badge Number _____

TOTAL BOND \$ _____

this 25th day of APRIL 2019[Signature]
JUDGE

DEFENDANT INFORMATION:

| | | |
|--|---------------------|-----------------|
| <u>Cunningham</u> | <u>D</u> | <u>Joann</u> |
| DEFENDANT'S NAME - LAST | MIDDLE | FIRST |
| <u>94 Dole Ave</u> | <u>Crystal Lake</u> | <u>IL 60014</u> |
| DEFENDANT'S ADDRESS | CITY | STATE ZIP CODE |
| <u>815-221-9102</u> | | |
| TELEPHONE | | |
| <u>2/28/1983</u> | <u>C55242483659</u> | <u>IL</u> |
| DATE OF BIRTH | DRIVER'S LICENSE | STATE |
| WARANTLESS ARREST <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Sex <u>F</u> | Race <u>W</u> |
| DATE / TIME OF ARREST <u>4/24/2019</u> | | |
| Co-Defendant(s): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Attach or identify to clerk) | | |

RIGHTS EXPLAINED

BY 1126DATE 4/25/19